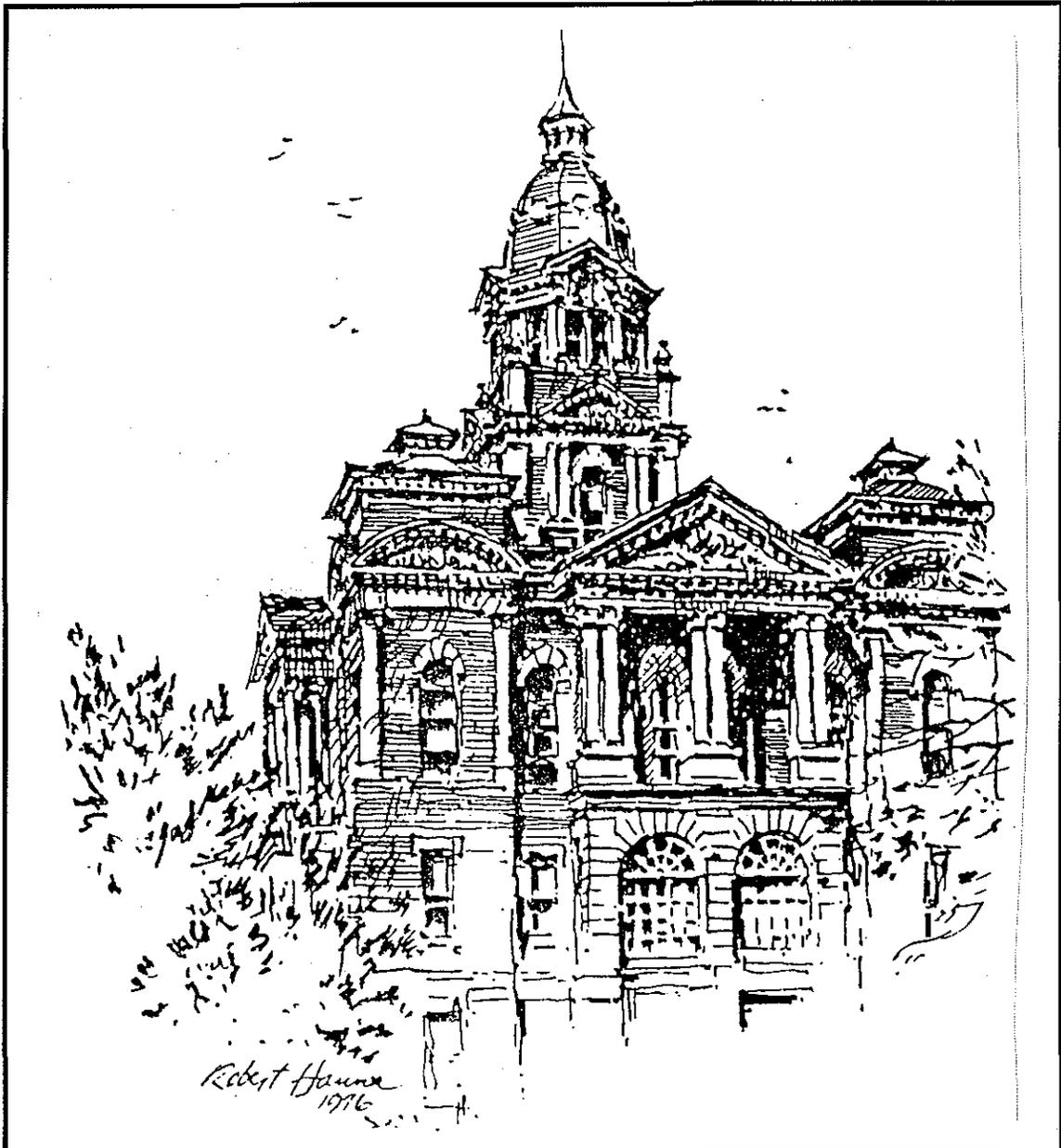


# Nebraska Courts

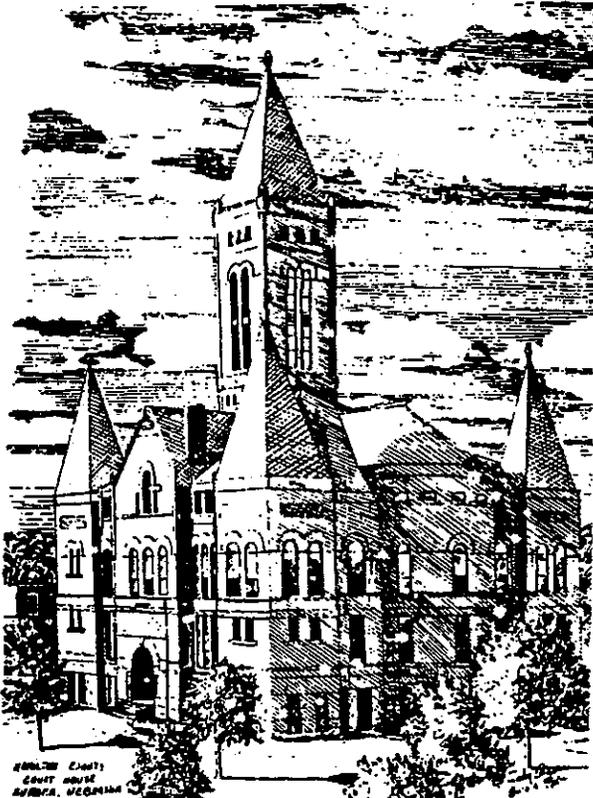


# Facility Planning

Guidelines and Standards

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*A courthouse means more to the residents of rural communities than often is the case in larger cities.*

*In the smaller county seat, a courthouse isn't simply a government office building. Often it is the centerpiece of the downtown area, the focal point of community meetings and activities. Midlands courthouses, with their bell towers, marble staircases and other architectural flourishes, reflect the pride of the settlers who put down roots and built a society on the plains.*

*Thus, when a courthouse is destroyed or severely damaged, the pain is sometimes more than physical.*

*(Omaha World Herald, 12/16/91)*

## ACKNOWLEDGMENTS

The Nebraska Supreme Court is indebted to the University of Nebraska College of Architecture for the service and assistance they have provided to the courts of Nebraska for the past ten years.

In 1987, Dr. Ernest Moore worked with a committee of judges and staff of the Administrative Office of the Courts to draft and write the original Nebraska Courts: Standards and Facility Planning Guidelines. Since that time, the College of Architecture has been most generous in working with a number of Nebraska judges and county officials to assist in courthouse renovation projects.

When it became apparent that the guidelines were in need of revision, staff from the Administrative Office of the Courts approached the College of Architecture again for assistance. Nate Krug, A.I.A., Associate Professor, spent many hours over the next few months rewriting and updating this document.

--March, 1996

*For additional copies of this document or additional information on court facilities, contact Janice Walker at the Administrative Office of the Courts, Box 98910, Lincoln, NE 68509.*

Cover art courtesy of Robert Hanna, from his book Sketches of Nebraska. The drawing depicts the old York County Courthouse which was razed in 1977.

The table of contents page features a drawing by Judy Edgar. This drawing depicts the Hamilton County Courthouse in Aurora, Nebraska which is listed on the National Register of Historic Places and is still in use today. It is a source of pride to the citizens of Aurora and Hamilton County.

Illustrations of court facilities courtesy of The Michigan Courthouse Study.

# Supreme Court of Nebraska

C. THOMAS WHITE  
Chief Justice



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## FOREWORD BY THE CHIEF JUSTICE

The statutes of the State of Nebraska require each county to provide appropriate court facilities in each of the 93 county seats. Many of the original courthouses in this state are still in use today. Their design and central location in the community reflect the importance of the law and our system of justice to the original citizens of Nebraska.

Modern life is making ever-increasing demands on the court system, and the importance of law and justice to our society is greater today than ever. Some of our courthouses are not equipped to meet the needs we face today. We must assure that buildings are accessible to our citizens so they are not denied access to justice. We must be concerned about the security and safety of the judges, staff and members of the public when they come to our courthouses. The demands upon the court system will not decrease and it is vital that the courts be allowed to serve the public in buildings that are efficient, appropriate, dignified and safe.

To assist county and court officials in the planning of new buildings or renovation of current structures, these standards and guidelines were written. The Supreme Court is truly grateful to the University of Nebraska College of Architecture for their expertise and assistance.

This document consists of two parts. First, the planning guidelines are written to assist local courts and county officials in identifying and solving their facility problems in a way that will meet current and future needs. The second portion of the document consists of standards for courtrooms and court offices. These standards should be followed in all court renovation and construction projects.

C. Thomas White  
Chief Justice  
Nebraska Supreme Court

## INTRODUCTION

The judicial functions required by the constitution of this state take place in a wide variety of settings. Today, Nebraska judges, court support staff, and lawyers must deal with kinds and numbers of cases not dreamed of when this state was first established. As society looks more and more to the courts for resolution of conflicts, it now becomes essential to provide proper facilities and processes to deal with these changes as well as those that are to come.

The Constitution of the State of Nebraska distributes the judicial power for this state among the Supreme Court, Court of Appeals, District Courts, County Courts, and several other courts created by the state legislature. The constitution provides that general administrative authority over all courts in the state shall be vested in the Supreme Court and exercised by the Chief Justice.

Nebraska Statute 24-515 states: "Each county shall be responsible for all costs involved in establishing, furnishing, and maintaining appropriate courtroom and office facilities for the county court at the county seat. When a division of the county court is established at a location other than the county seat, the city or village in which such division is located shall be responsible for all costs involved in establishing, furnishing, and maintaining appropriate courtroom and office facilities for such division. The Supreme Court may establish standards by class of county, based on population, caseload, and other pertinent factors." Where this statute refers specifically to county court, Nebraska Statute 23-120 provides that "all courts who desire such accommodation shall be suitably housed in the courthouse."

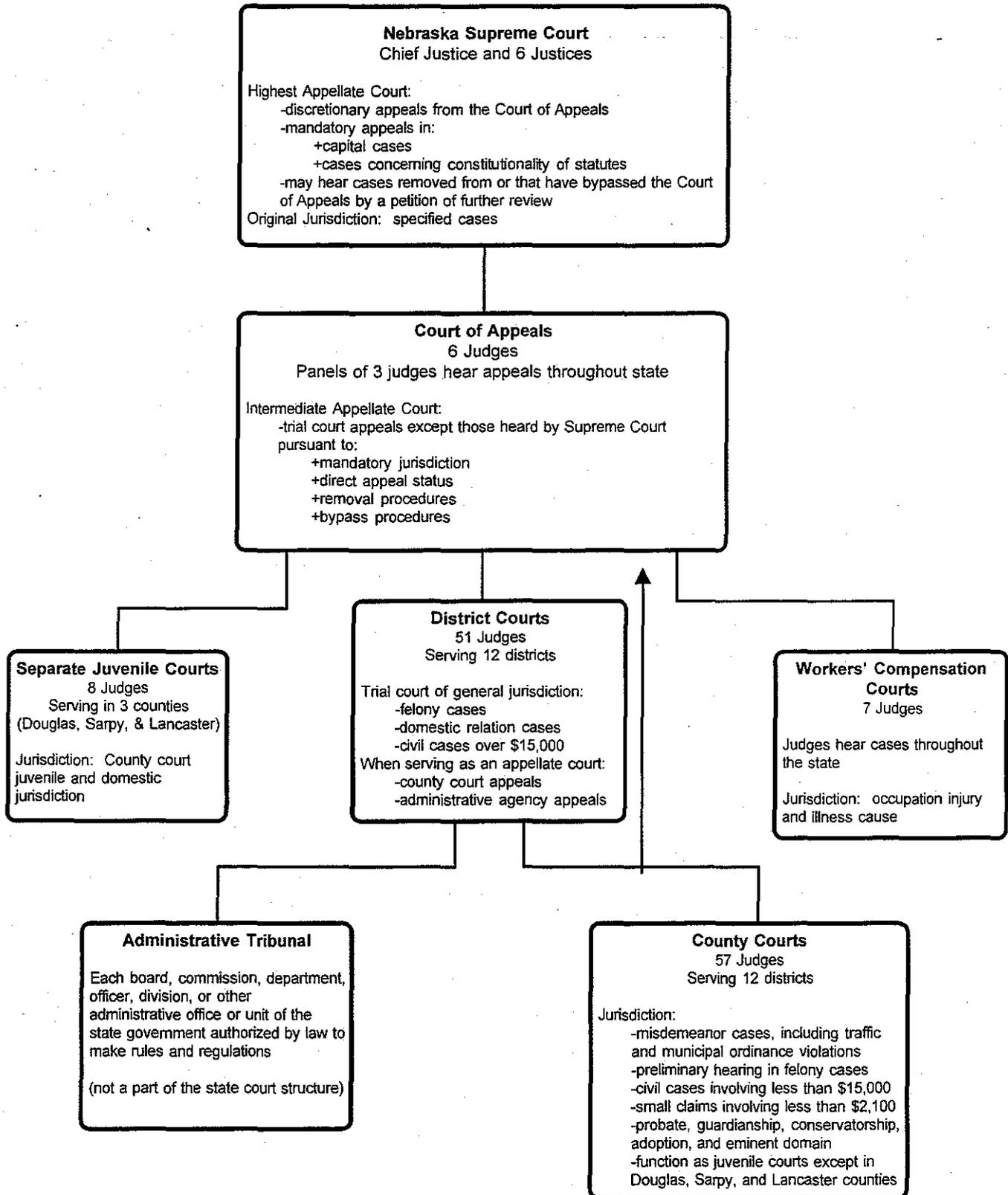
To assist counties and municipalities in planning and providing facilities in which the courts may operate efficiently, this publication has been developed by the Supreme Court. It is designed to be a resource guide for judges, county boards, and architects who are anticipating renovation of existing facilities as well as those who plan to construct new courthouses. The procedures outlined should help to provide facilities for courts which are flexible while also reflecting the importance of the judiciary and the courts in each community.

The Supreme Court recognizes the wide range of needs in courts throughout the State of Nebraska. Population density, resources, caseloads, and case profiles vary across the state. It is not the intent of the Supreme Court to demand a uniform size in courtrooms or support facilities. Not all counties will have, or need, each type of space described in these standards. However, when a particular space is being designed, the Supreme Court standards should be used.

It is the intent of the Supreme Court, that when facilities, including courtrooms, can be shared by more than one court, every effort should be made to do so. Effective planning and time management can eliminate the need for duplication of space(s) in many instances, and result in a more efficient use of resources. This must be done, however, while preserving the dignity of the courts. It is not appropriate to design court facilities as part of a law enforcement or jail complex. Even a symbolic combining of the court system with law enforcement in a joint facility is undesirable.

It is necessary for anyone planning to undertake either major remodeling or the building of a new courthouse to obtain approval of the proposed design from the Nebraska Supreme Court.

# Nebraska Court Structure



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## NEED

Standards for court facilities are needed because:

1. Defendants, whether imprisoned or free, are innocent until proven guilty and therefore entitled to be treated with dignity.
2. Judges are entitled to safely move about their chambers and courtroom without unnecessary confrontations with litigants, their relatives, friends, and attorneys.
3. Victims and witnesses are entitled to dignified and humane treatment in secure surroundings.
4. Jurors are entitled to security, privacy and comfort during the time they devote to the judicial process.
5. Lawyers are entitled to a professional and dignified setting in which to represent their clients' interests.
6. Clerks, court reporters, record keepers, and other support personnel are entitled to efficient and secure working conditions.
7. The public is entitled to safe, accessible, efficient, and economical public buildings and courthouses.
8. New needs and advancements in the areas of security and accessibility have been developed and become necessary in buildings that do not adequately address these areas of concern.

Many courthouses in Nebraska fail to meet the above needs resulting in inefficiency, inconvenience, and disrespect for the justice system.

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# FACILITY PLANNING GUIDELINES

## HOW TO USE THESE GUIDELINES

The following facility planning guidelines can be used for the renovation of existing court facilities as well as the construction of new courthouses. These guidelines are intended for use by judges and county boards in determining if and to what extent capital improvements may be necessary, and by design professionals (architects, interior designers, engineers, etc.) as a programmatic outline highlighting spatial needs, their specific requirements, and functional relationships. Uniform sizes and definitive spatial needs are not established in these guidelines; although, design standards for the various types of space needed by each court can be found beginning on page 19 allowing for the wide range of needs in court facilities throughout the State of Nebraska. As case loads, resources, and future projections vary, each renovation and/or new construction project can be individualized within its own context with these guidelines providing a common resource guide.

## GETTING STARTED

At some point in the life of a courthouse, those who work in the court system will identify problems arising in their daily work routine. These problems may be a result of antiquated procedures, unimaginative management, or they may be created by the available space and circulation of traffic within the building. Acoustical problems and outdated heating or cooling equipment may interfere with court proceedings. Security for judges, defendants, and the public may be lacking. Equal access to all citizens as specified in the Americans with Disabilities Act may require imaginative, not to mention costly, improvements. However, before a decision to renovate, add-on, or construct new facilities is made it is imperative to consider that at least a short term solution might be administrative in nature (space re-allocation, scheduling, sharing of facilities, etc.). Capital expenditures especially for construction are expensive and, if not properly planned, considering both immediate problems and long-term goals, they often result in perhaps an immediate satisfaction but short-term obsolescence.

Human beings are a very adaptable species; however, in the effort to adapt a price must be paid in many instances. It is not infrequent that we see court personnel adapting to very adverse conditions while still carrying out their assigned duties to the best of their ability. Such conditions may result in inefficiencies and diminish employee morale. In order to carry out required functions many innovative, but time-consuming strategies may be adopted. The consequences of these adaptive actions frequently lead to postponing any remedial action until a crisis appears. Such delays can easily result in very expensive corrective steps. It is analogous to postponing repair of a leaky roof until the water leak has severely damaged the interior and contents of the building. It may be helpful to review some of the problems revealed through the **Space Management Consultants, Inc.**, report on **Statewide Judicial Facilities** submitted in 1976 to the Nebraska State Court Administrator's Office.

Before a solution can be proposed, problems should be investigated fully through a process called "**facilities programming**." This process involves collecting as much information as possible about a given situation, and analyzing the data collected before proposing any action. Finding a solution before the problem is identified can result in tax money being spent on measures that will be more costly in the long run. If a job is worth doing, it is worth doing right. Some problems are evident only to those who work daily in a courthouse, but many of the courts' problems are painfully evident to the public who come to the courthouse for any one of a number of services. The involvement of representatives of the public in the planning process is important. People who clearly understand and can articulate the functions of the court should be appointed to serve on a planning committee.

This committee should be given the authority to gather all relevant information about the problem, analyze the data and suggest a solution. The committee should include:

1. Representatives from the county board
2. Judges
3. Members of the court staff
4. Members of the local bar
5. Public users of the court (i.e. law enforcement officers and former jurors)

The county board should provide leadership in selecting the planning committee, appointing a chairperson, and providing support to the committee in its task. The committee should be given the authority to make planning decisions after the data is gathered and analyzed, and should report directly to the county board and the local judges. The ultimate goal of the committee is to present their summary of the problem and one or more suggested solutions. The county board, in consultation with the judges, can then set about solving the identified problems.

### **PROCEDURES FOR PLANNING COMMITTEE**

One of the first orders of business for the planning committee is to develop a consensus of the goals to be achieved and write these goals into the planning document. At the goal-setting stage the committee should review the role of the judicial branch of government in the state and in the specific area in which the committee sits. Over time, tradition and local practice sometimes cloud the underlying role, as well as the function and importance of our courts. After consensus on the goal statements is reached, the committee should move directly to gathering data that is related to perceived or impending problems. Some examples of information to gather are:

1. Identify those individuals who have reported a problem(s) so they can be consulted as to their concerns and descriptions of what seems to be wrong.
2. Identify the other functions, persons, procedures, etc., that are or may be affected by the reported problem.
3. Inventory court personnel, their duties, their work stations and their functional relationships to one another.
4. Determine if the problem appears to be primarily of a management nature or a space and relationship nature. The committee may wish to temporarily concentrate on either management or on space matters to see specifically how the issues may be interrelated.
5. Statistical information should be gathered on issues that might be related to the perceived problem. Examples of helpful data might include some of the following:
  - a. Numbers of people assigned to various activities or functions of the court;
  - b. Hours per day people are able to spend at their assigned task in a productive manner;
  - c. Number of cases, personal contacts, forms to file, and trips between various locations per day, etc.;
  - d. Adequacy of space for functions assigned and people assigned to the space;
  - e. Environmental conditions; such as sound levels, echoes, sound transmission between spaces, temperatures over yearly seasons, light levels, attractiveness of the occupied space, adequacy of toilets, privacy (where needed), security, and traffic patterns through available circulation space.
6. Long-range and short-range plans for county facility uses.
7. An inventory of potentially available spaces.

8. Detailed description of current court procedures as to time, people, activity, proximity relationship, frequency of perceived problem occurrence, etc.; and
9. Maintenance problems, if any, of court occupied space.

The objective of the data gathering is to pinpoint details of potential issues contributing to the perceived problem. It is far better to gather too much information than not enough. To gather this data the committee should utilize resources available through contact with the Administrative Office of the Courts.

**If the problem appears to be one of management**, the committee should immediately consult with the Administrative Office of the Courts (AOC). A review of procedures, personnel and policy will be made and any relationships to physical facilities can be evaluated. After the management problems are analyzed and the court undertakes to solve them, the remaining facility problems can then be studied by the committee in consultation with the court. Because most problems involve both management and facilities, close coordination and consultation are necessary among the committee, the local court and the AOC.

If an existing structure is involved, it is usually vital that the planning committee have at their disposal a good set of floor plans of the entire building in which the courts and their support spaces are housed. If none exist then arrangements should be made to have a measured drawing developed from actual dimensions taken on site. In addition, it is frequently important to have a comprehensive site drawing which shows all building locations, utilities, easements (if any), topography, and major landscaping such as trees, fencing, walks, etc.

When the committee has analyzed and summarized the data, it should become evident what the real problems are. From that point on the committee should "brainstorm" to develop several possible solutions to solve the problem. From these, one solution should be selected which appears most feasible, efficient and suitable, and have acceptance by consensus of the committee. Avoid settling on the first solution that is presented until realistic alternatives have been explored.

Regardless of solution chosen or problems identified, the committee should consult with the county board and the AOC when they have reached a consensus **before** undertaking the implementation of a solution. Since the county board is charged with the responsibility of providing facilities in which the court is to function it is their obligation to review the court's needs and respond according to the county's ability to meet those needs. At the same time, it is the county's responsibility to conform to the statutes of the state relative to meeting standards set forth by the Supreme Court.

It is imperative that the Supreme Court, through the AOC, review and approve the committee's planning work in at least three critical stages:

1. When the facilities analysis is complete;
2. When schematic designs are developed (or before any decision is made to construct or remodel any space); and
3. Before final designs are converted to construction drawings.

These guidelines represent a general format from which to direct a planning effort. Each project is unique and all the suggestions may not apply in every case. It is recommended that available resources and professional talent be employed early in the process. The AOC and the College of Architecture at the University of Nebraska are available as resources for any county planning courthouse construction or remodeling. Engaging an architect during the predesign study should

help to avoid most common court facility problems, as well as to insure a facility tailored to the needs and users of the court. When the committee decides it needs an architect or consultant, the AOC can provide assistance in this selection.

## ACCOMMODATION AND SECURITY

Of paramount concern to the Supreme Court and the Administrative Office of the Courts are the issues of accommodation and security. This concern centers around, but is not limited to:

1. Security of persons and property within the courthouse as well as on the courthouse grounds; judges, attorneys, defendants, victims, witnesses, jurors, court employees, and the public are all entitled to safe and accessible public buildings.
2. Convenience and accommodations for those persons unfamiliar with the court facility and process; does adequate parking exist for court users and are there adequate signs and notices directing participants to courtrooms, clerks' offices, etc. In some locations, these signs need to be in languages other than English. Making sure people can find the location of court events would go along with making sure that those events are physically accessible or that accommodations are made for people who are physically challenged. This is especially necessary in older courthouses.
3. Accommodations for participants in the actual court proceedings; courts must be sure that those with hearing or speech disabilities can understand the proceedings through interpreters or by means of other accommodation; and,
4. Accommodations for media and the problems associated with highly publicized cases; Most of the existing courthouses and courtrooms are not accustomed to dealing with high profile cases. However, cases that could strain existing facilities and existing accommodations could happen anywhere and courts need to have plans for handling these as well as routine cases.

Many of Nebraska's courthouses in use today provide for security and public accommodation; although, more often than not, the provisions are extremely limited or the result of confronting an immediate need. Many existing building codes are based on national model codes that already include many accessibility requirements. The American with Disabilities Act (PL 101-36) represents an unprecedented opportunity to eliminate the barriers to independence and productivity to 43 million citizens with disabilities. The ADA is modeled after the Civil Rights Act and Title V of the Rehabilitation Act of 1973. Its purpose is to extend to people with disabilities civil rights similar to those now available on the basis of race, color, sex, national origin, and religion through the Civil Rights Act of 1964. It prohibits discrimination on the basis of disability in the private sector and in state and local governments, public accommodations, and services, including transportation, provided by public and private entities. Where federal, state, or local requirements conflict, the ADA states that the most restrictive requirements should apply.

Additional information on design criteria concerning compliance with the American with Disabilities Act can be found in PL 101-336 available in print form from the Government Printing Office, Superintendent of Documents, Washington, D.C. The National Sheriff's Association "Physical Security Checklist" adequately covers matters of exterior, building, and procedural security for courthouses. The National Sheriff's Association may be contacted by post at 1450 Duke Street, Alexandria, Virginia 22314, by fax at (703) 683-6541, or by phone at 800-424-7827.

## Check List for Analyzing Problems

When the committee identifies a perceived problem(s) a formalized approach to analyzing the problem will be helpful. The following generic check list is offered to assist in the analysis.

- Who has reported the problem and what direct or indirect relationship do they have to the issue.
- Describe the problem as reported (in writing).
- Visit the location of the problem(s) and observe the sequence and context in which the event occurs. It may be advisable to observe the situations over time to see if the frequency and time are both involved.
- Determine as early as possible if the problem is spatially related or management related. Most problems involve both space and management; therefore, endeavor to divide the appropriate portion of the problem to each category.
- If spatial issues seem to dominate the problem, investigate the following questions:
  - 1) Physical size of space adequate?
  - 2) Environmental control (heating/cooling, lighting, acoustics) adequate?
  - 3) Circulation and proximity of spaces inappropriate?
  - 4) Security of persons or property inadequate? If so, does security involve personal safety, privacy and confidentiality, escape of prisoner, or safety of property and records?
  - 5) Is a needed functional space available?
- If management issues seem to dominate the problem, investigate the following questions: \*
  - 1) Who does what?
  - 2) When do they do it?
  - 3) How do they do it?
  - 4) Why do they do it?
  - 5) Where is it done?
  - 6) Is the correct equipment or furnishings available for the tasks required?
  - 7) Is the task or function necessary?
  - 8) Are proper personnel policy and procedures being followed?

\* These situations should be referred to the staff of the Administrative Office of the Courts.

## Check List Sheet for Evaluation Available Spaces for Potential Court Related Functions

1. Location of space:
  - a. floor level \_\_\_\_\_
  - b. room number \_\_\_\_\_
  - c. building site location \_\_\_\_\_
  
2. Current use of room:
  - a. functions and/or agency currently occupying space
  
3. Accessibility:
  - a. handicapped barrier free
  - b. visibility to public
  - c. security
  
4. Size of space:
  - a. length
  - b. width
  - c. ceiling height
  - d. compare to space now being used
  
5. Condition of space:
  - a. structures (what material are they made of and how is it finished?)
  - b. surfaces (what condition are the surfaces in?)
  - c. electrical system condition (is it adequate?)
  - d. heating, ventilation and air condition systems
  - e. security
  - f. adaptability to new use
  
6. Time issues:
  - a. when will space be available?
  - b. hours when space is available?
  - c. how long will space be available?
  - d. seasonal effects on the space
  
7. Estimated cost for space/availability
  - a. short term purchase
  - b. rental of space
  - c. cost to remodel
  - d. cost to refurbish existing surfaces
  - e. cost to maintain the space (compared to other spaces)
  - f. who controls this space
  
8. Ambience and symbolism
  - a. is the space inviting to the public (or could it be)?
  - b. is there some inherent beauty and stability to this space?
  - c. does it look like a court facility?

## OVERVIEW of COURTS and FACILITY NEEDS

It is more efficient to house the county and the district courts in one building than in separate buildings. The county attorney, public defender, adult probation, and other offices having frequent court contact should be located in the courthouse where possible. Although those offices are not included in this study, they should be included in the planning process. Although the local population will dictate courthouse space needs, the following spaces normally will be needed for both county and district courts:

1. Courtroom
2. Judge's chambers
3. Administrative offices
4. Juvenile offices, where possible
5. Hearing room
6. Jury assembly area
7. Jury deliberation room
8. Public waiting areas
9. Witness waiting areas
10. Attorney client conference rooms

In addition, the following spaces may need to be provided:

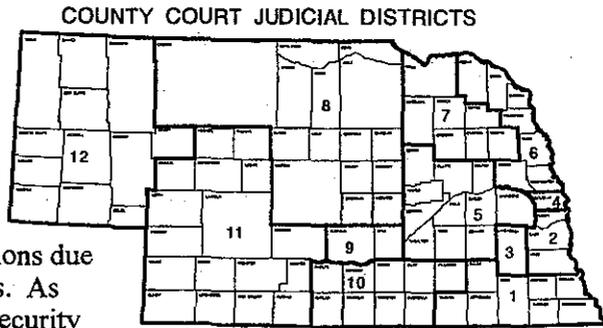
1. Law Library
2. Prisoner holding facilities
3. Vehicle sally port
4. Juvenile waiting rooms
5. Mental patient waiting rooms
6. Security offices
7. Record storage
8. Entrances
9. Lobby
10. Public corridors
11. Restrooms
12. Waiting areas
13. Food service or vending areas
14. News media room

### COUNTY COURT FACILITIES:

County courts generally have the highest volume of public contact of all courts. It is in this court that preliminary hearings are held to determine whether there is probable cause to believe a felony category of crime has been committed before the case is bound over to the district court. Virtually all misdemeanor and traffic cases are heard in county courts as well as small claims, civil cases involving less than \$15,000, and probate matters.

These heavy case loads translate into high levels of pedestrian traffic to the county court offices where cases are filed, pleas are taken, fines are paid, and inquiries are made. The implication of this traffic is to locate county court offices in a position within a court building where the public traffic is easily accommodated. This will keep unwanted noise and confusion to a minimum in areas of the building which require a quieter environment.

There is also heavy pedestrian traffic to and from the county courtrooms due to the functions assigned to this court. It is therefore advisable to locate the county courtrooms in an area that will keep this traffic away from other offices and functions that require minimum traffic and noise. It is not uncommon to find county court traffic and noise interfering with district court functions due to poorly arranged circulation paths and proximities. As in all courts, but with some special considerations, security in the county court is an important issue. It is here that the first encounter with the judicial system frequently occurs for most people. It is also the place where people are called to appear who may be relatively unknown and their behavior unpredictable. Proximity of spaces, visual control, and appropriate separation of pedestrian traffic are extremely important.



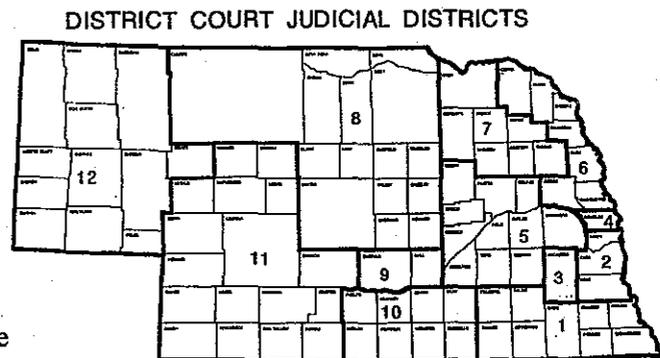
Effective: Sept, 1993

### DISTRICT COURT FACILITIES:

District courts have the responsibility of hearing the more serious cases involving felony class crimes and civil cases over \$15,000. The actual number of cases heard will be far less than the county court; however, the cases are typically of longer duration, of more public and media interest, and potentially attract more spectators. More than half of the total district court caseload involves domestic relation matters, including dissolution of marriage, child support, and child custody issues. There is a general trend to more trials heard by juries in the district court. This fact suggests very careful attention to jury hearing room location, construction, accommodations, and security. Also, there are more cases heard which involve dangerous criminals. The need for secure holding rooms and traffic paths for managing prisoner contacts with court officials and the public is crucial.

Cases heard by district courts will tend to be conducted over longer segments of time. This implies longer hours of sitting in the courtroom for court staff, attorneys and their clients, the jury, and the public. It is extremely important to have a very comfortable environment with minimal disturbances to the proceedings.

While all the courts require similar fundamental characteristics they are simply magnified for the district court. It would be advantageous to locate district courts further from public lobbies, and areas where the general public may congregate. This can substantially reduce noise in and around the courtroom. It will also assist in making court security easier to manage.



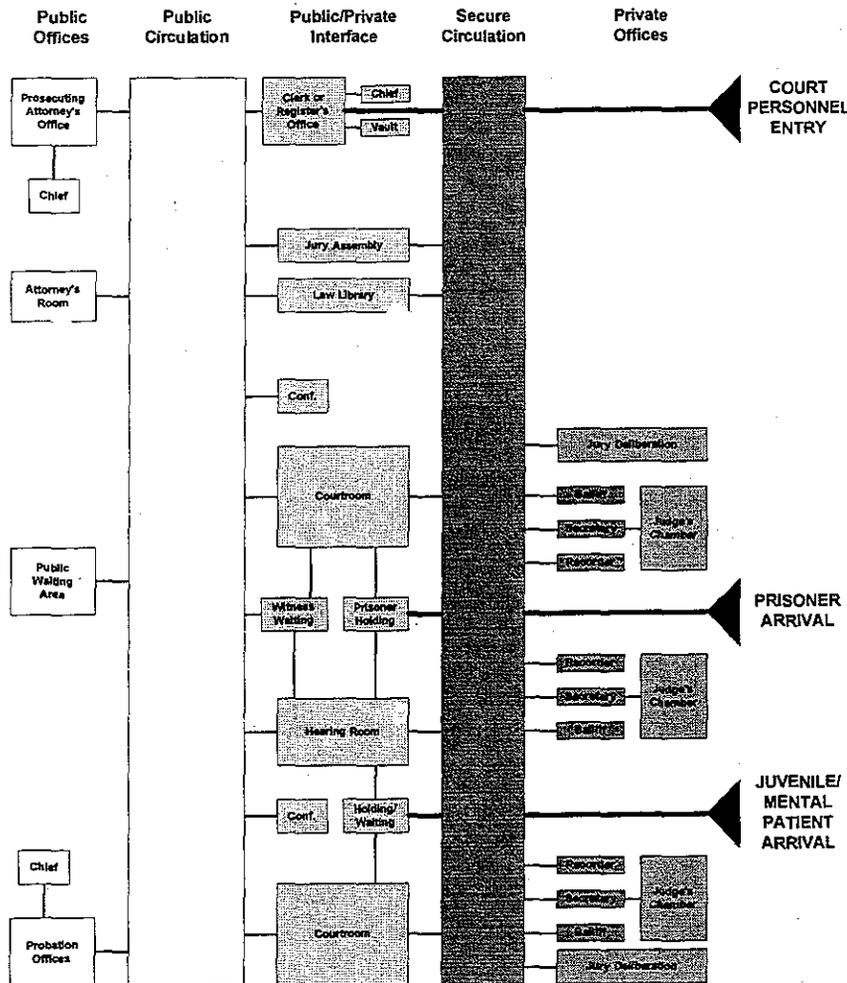
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# DESIGN STANDARDS

## STANDARDS FOR COURTHOUSES: *courthouses and their functional criteria*

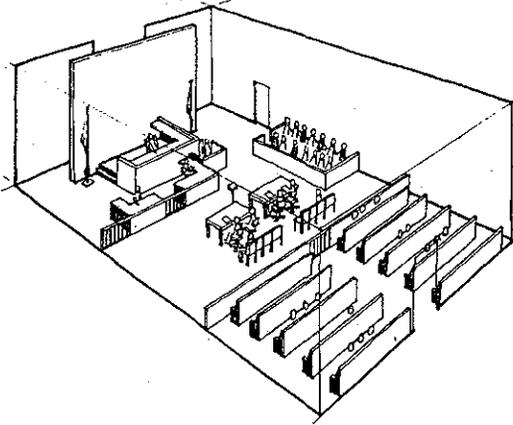
The courthouse design and interior furnishing shall convey dignity and respect for the law. Efficiency and economic viability shall be important design considerations. At all times public convenience and barrier free access shall exist throughout the interior and exterior of the courthouse. New courthouses shall be constructed with the following minimum spaces:

1. Appropriate courtroom space for each court sitting in the county with the needs of each court accommodated equally if courtroom space is to be shared;
2. A judge's chambers for each court sitting in the courthouse;
3. Offices for the clerk of the court, court reporter/stenographer, bailiff, and secretary;
4. A jury deliberation room for each court sitting in the courthouse;
5. Prisoner holding facilities;
6. Witness waiting rooms; and
7. Conference rooms.



For security purposes, the public shall be separated from prisoners. Courtrooms shall be symbolically separate from jails, even if part of the same building. Security of all participants in the judicial process shall be an important design consideration. In addition, ease of maintenance shall be a design consideration and the anticipated caseload shall be considered in determining spatial needs. Final architectural decisions shall be made in cooperation and in communication with the Supreme Court.

## STANDARDS FOR COURTROOMS: *courtrooms and their functional criteria*



The design objective is to provide a dignified, efficient environment in which to conduct the administration of justice in an orderly and safe manner. As the presiding official, and functioning symbol of justice, the judge should occupy a place of prominence in the courtroom. The defense and prosecution, being equal adversaries, should be assigned equal spaces on the floor of the litigation area. Jurors should be positioned so they have a clear view and hearing of the judge, witnesses and attorneys. The witness should be placed in a position where there is a clear view and hearing to the complaining and responding parties and their attorneys. The court recorder and/or clerk should

be located where there is a clear view to all proceedings. The court officer or bailiff station should be placed to afford a clear view of the entire courtroom and all occupants including the spectator area. Provisions shall be made for demonstrative evidence to be easily viewed by all participants and particularly the jury.

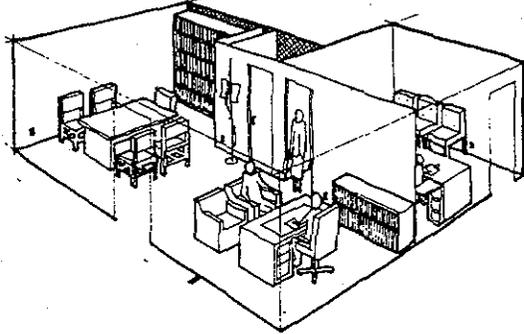
Of paramount importance is unobstructed vision and voice transmission among all participants in the litigation arena. The entire proceedings are dependent upon clear communication between all parties. Anything that hinders this communication must be avoided or corrected if it currently exists. Acoustical design shall assure adequate hearing of all parties in the litigation area speaking in a normal voice without electronic amplification. Amplification equipment may be used to accommodate people with speaking or hearing impairment. Lighting, temperature and ventilation shall be adjustable and comfortable for all occupants regardless of time or season. Mechanical equipment used for environmental control shall not disrupt nor distract from the proceedings. Wiring and outlets shall be provided for electronic recording equipment and for voice amplification where needed. Microphone outlets shall be provided at the bench, witness stand and counsel tables but not in the jury box.

Public observation of court proceedings is required. However, it is necessary that the public observers be separated from the litigation arena and that they not be allowed to disrupt the proceedings. This should be accomplished by employing the traditional and symbolic bar in a manner that controls the movement of the public to and from the litigation area. Appropriate space shall be provided for the news media to view and hear the proceedings without disrupting the same.

Security is a major consideration in all courtrooms. Due to the nature of certain criminal trials and the emotions of the people involved it is not uncommon for acts of violence and/or disruption to occur. Proper separation of all parties occupying the courtroom can assist in improving court room security. Providing private secure access to and from the courtroom for prisoners, judges, and jurors is a priority issue. In addition, an emergency communication device connected to the security offices of a law enforcement agency shall be provided at the bench. Where possible, the bench shall have direct access to the judge's chambers.

### **STANDARDS FOR JUDGES CHAMBERS:** *judges chambers and their functional criteria*

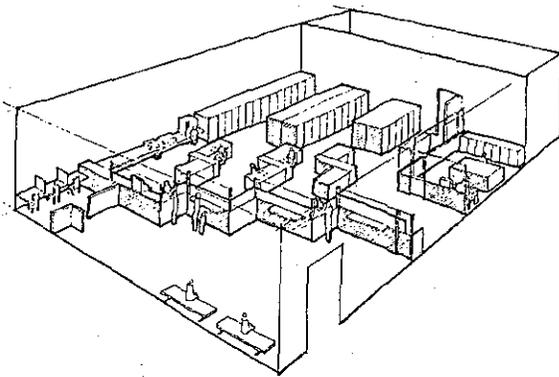
Judges are the chief administrators of the law and the court systems. A private chambers shall be provided for each courtroom, affording the judge a secure and acoustically private place for research, meetings and relaxation. It is appropriate that the design and furnishings of the judge's chambers should reflect symbolically as well as functionally the position as head of the court. When judges are not presiding in the courtroom their work involves the study and review of the law, preparing for upcoming trials, meeting with attorneys and court personnel, and general court administrative duty. The judge's chambers also is a place of retirement during court recesses and between trials.



Judges chambers should provide the necessary privacy to reduce unnecessary contact with public, jurors, litigants, etc. Restroom facilities and space to change into judicial robes should be included. Secretarial or clerical control of visitors to the judges chambers should be arranged in the design. A secure pathway between chambers and courtroom should be provided to prevent undesired contact with the public and litigants.

The chambers should be large enough to accommodate a 6-8 person conference, and shelving space should be provided for reference materials. The location of judge's chambers should be near the clerical office and have easy access to the courtroom. Lighting, temperature and ventilation shall be adjustable and comfortable for all occupants regardless of time or season. Mechanical equipment used for environmental control shall not disrupt nor distract from the judge's use of the chambers.

### **STANDARDS FOR COURT CLERKS OFFICES:** *clerks offices and their functional criteria*



While a multitude of functions are handled by the clerk of the court's office, one of the most important is record keeping. The creation and maintenance of court case files and records along with the security and distribution of these files is a high priority. All scheduling and coordination of activities and spaces to be utilized are done by the court clerk. Requests for jurors and monitoring of jurors are also handled by this office. Managing of the courts' fiscal matters, budget, receipt of payments of fines and fees are additional functions carried out by the clerk of the court. At least one court clerk's office shall be provided for all courts in a county. The number

of the clerks offices shall be determined by the Supreme Court after reviewing caseload and other needs.

There is a close working relationship between the clerical office and the judges of each court. This implies close proximity between the clerical offices, courtrooms and judges chambers. A desirable arrangement is to have the judge's chambers near or adjacent to the court clerk's office. The secretary serving the judge(s) will have considerable contact with the clerical office and can also control visitor access to the judge. In smaller courts the court clerk may serve as the judge's secretary in addition to the clerical office manager.

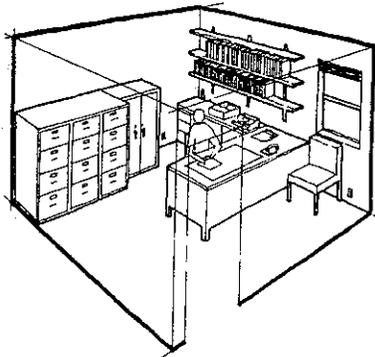
County court clerks may also be magistrates charged with certain authority in matters of a noncontested nature. Such duties may be conducted in this office. The clerk or clerk/magistrate should have a private office which is in a location that allows good visual supervision of the office area and public counter. This office shall have acoustical and visual privacy.

It is important to recognize the public's relationship to the clerk of the court's office. It is here that the public's interaction with the court begins and the office should be easily accessible to the public. Documents are filed, fees, and fines are paid and requests for information are made. Adequate counter space is needed and good separation between public and clerical space must be maintained. Adequate public waiting space must be provided.

Due to the multitude of typical clerical functions conducted in the court clerk's office, an open plan may prove to be the most efficient. Copying, filing, typing, data entry, all require space for equipment that may need rearranging over time. An open type plan allows the greatest flexibility for such rearrangement. It also allows better visual control and security of the office.

Protection against fire, theft, or other damage for all court records and case evidence is paramount. Since money is paid into the court office, security of such funds is also vital. It is important that the total security of the court clerk's office be thoroughly accommodated. Adequate storage space shall be provided for both open and closed files, including room for future expansion. Space for storing closed files may be provided outside the courthouse. A secure space shall be provided for storing evidence. Lighting, temperature, and ventilation shall be adjustable and comfortable for all occupants regardless of time or season. Mechanical equipment used for environmental control shall not interfere with the conduct of business in the clerk's office.

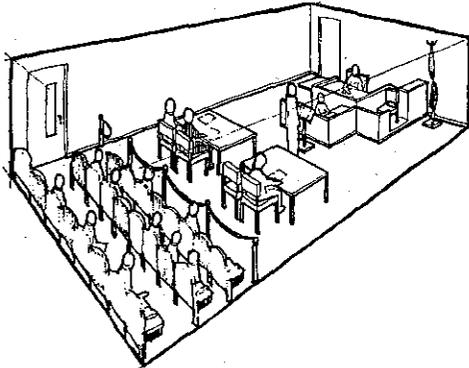
#### **STANDARDS FOR COURT REPORTER/STENOGRAPHERS OFFICES:** *court reporter/stenographers offices and their functional criteria*



A quiet, efficiently arranged private office should be provided for the court reporter and/or court stenographer. The court reporter/stenographers offices shall be located in (court reporters or court stenographers may be quartered in the court clerk's office since they prepare transcripts of court proceedings which go into the case files) or near the clerk's area and as close to the judge's chambers as possible. The office shall have acoustical privacy and adequate electrical outlets. It shall be spacious enough to accommodate the necessary recording and transcribing equipment necessary to the reporter

stenographer function. Adequate and secure storage space shall be provided for supplies, tapes, transcriptions, and evidence. The office should be appropriately furnished with a suitable work desk, chair and two visitors' chairs. Lighting, temperature, and ventilation shall be supportive of the work performed by the reporter/stenographer.

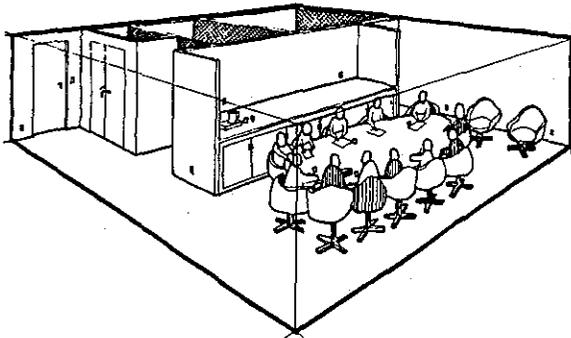
### **STANDARDS FOR INFORMAL HEARING ROOMS:** *hearing rooms and their functional criteria*



A hearing room for informal proceedings with minimal public spectator seating may be provided in the courthouse. Hearing rooms can be utilized to both speed up the litigation process as well as reduce space requirements for a court. Many of the preliminary hearings, trials for minor infractions, some juvenile hearings and proceedings requiring less formal settings and procedure than a regular courtroom can be easily accommodated in a more modest hearing room.

Flexible furniture arrangements such as movable tables and seating will allow variations of configurations to suit specific needs. Acoustical and visual conditions equal to those needed in a regular court room should prevail. Hearing rooms should be located near court clerical offices and easily reached by the public. Lighting, temperature and ventilation shall be adjustable and comfortable for all occupants regardless of time or season. Mechanical equipment used for environmental control shall not disrupt nor distract from the proceedings.

### **STANDARDS FOR JURY DELIBERATION ROOMS:** *jury deliberation rooms and their functional criteria*



A jury room which will accommodate 15 people in a conference setting shall be provided for each court. The jury's function of conferring in an attempt to reach a verdict requires an environment that is safe, comfortable and totally private. Jury rooms must protect the personal privacy of the jurors as well as the legality of their proceedings. Acoustical and visual privacy of the jury is paramount. It is common for jury deliberations to take considerable time; in fact jurors sometimes take several days to reach a verdict. The comfort of seating, appropriate facilities to review case evidence (reviewing physical and demonstrative

evidence, viewing videotapes and listening to recordings), private toilets, good lighting, access to beverages such as tea, coffee or water are important environmental issues to be addressed in the design. Jurors must not have to leave the jury room during deliberations or have the opportunity to come in contact with the public or litigants until a verdict is reached .

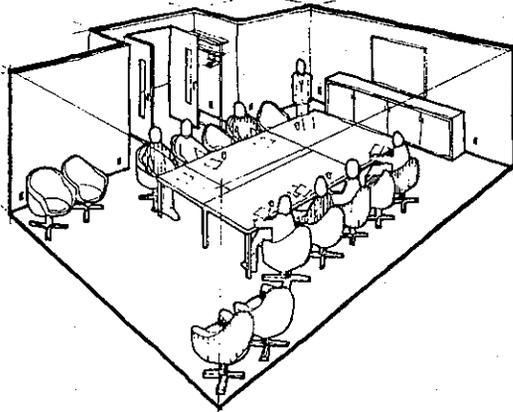
The jury room also serves as a place for jurors to wait and rest at times when the court has called for a recess. Personal belongings should be able to be secured in the jury room when jurors are on duty.

Security for jurors implies a private and secure passageway between the courtroom and the deliberation room which will prevent litigants and public from contact with jurors during the judicial process. The accompanying sketches illustrate some successful jury room arrangements. Lighting, temperature and ventilation shall be adjustable and comfortable for all occupants regardless of time or season. Mechanical equipment used for environmental control shall not disrupt nor distract from the proceedings. A window for some natural light and ventilation is highly desirable.

**STANDARDS FOR JURY ASSEMBLY ROOM:** *assembly rooms and their functional criteria*

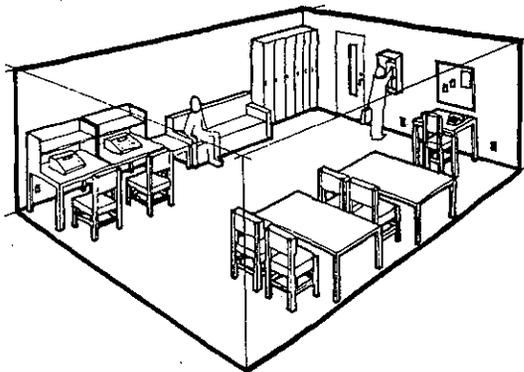
A room or space shall be provided for jurors who have been called for duty but not assigned to a court. The room shall be furnished with comfortable chairs and secure lockers for personal effects. Lighting, temperature and ventilation shall be adjustable and comfortable for all occupants regardless of time or season. Mechanical equipment used for environmental control shall not disrupt nor distract from the proceedings. The assembly room should contain or be near beverage dispensers.

**STANDARDS FOR CONFERENCE ROOMS:** *conference rooms and their functional criteria*



If possible, a conference room shall be located as near to each courtroom as practical. Space should be provided for four to six people in a conference situation. Acoustical and visual privacy shall be provided to ensure confidentiality of discussion held in the conference room. Furnishings shall include a table and four to six chairs. Lighting, temperature, and ventilation shall be adjustable and comfortable for all occupants regardless of time or season. Mechanical equipment used for environmental control shall not disrupt nor distract from the proceedings.

**STANDARDS FOR ATTORNEY ROOMS:** *attorneys rooms and their functional criteria*



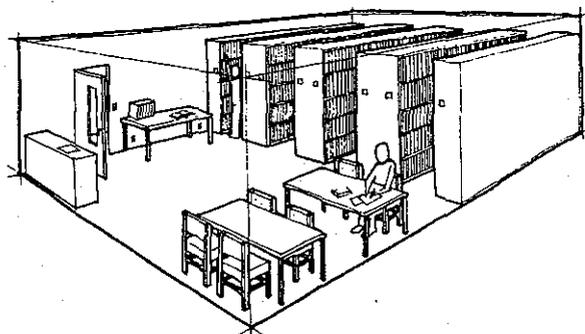
An attorneys' room has numerous direct and indirect values for the court. Obviously the volume of daily caseload in a court building will influence the importance and value to the courts. Typically there are long waits between trials or during recesses. It is during these long waits that private attorneys, prosecutors, and public defenders can efficiently use an attorneys' room. They can meet and confer with colleagues, make necessary phone calls, and do necessary reading, writing, and otherwise make efficient use their time. As a result they are more likely to remain in the court building and be readily available when needed in court. An

added advantage would be to keep the attorneys from waiting in the clerical areas and interrupting the court's personnel.

Rooms in which attorneys may wait until their case is to be heard, if provided, should be acoustically and visually private, and should be located near the library and courtrooms. Furnishings should include comfortable seating, tables or writing desks, coat racks, a typewriter or personal computer, and a telephone. Where possible, a communication system should be provided with the judge's chambers and the clerk's office. The attorney's room should be for the exclusive use of attorneys.

Lighting, temperature, and ventilation shall be adjustable and comfortable for all occupants regardless of time or season. Mechanical equipment used for environmental control shall not disrupt nor distract from the proceedings.

## **STANDARDS FOR LAW LIBRARIES:** *law libraries and their functional criteria*



Law libraries are used primarily for research by judges and attorneys. They should, therefore, be easily accessible for judges. There should be ample shelving for continuous additions to the collection as well as comfortable chairs and study tables. A photocopying machine is particularly handy and as technology advances it will be advisable to have microfilm readers and computer terminals.

The size and collection of references will obviously vary by region, district, and court. The cost effectiveness of one law library per county is

excellent as it allows a comprehensive localized resource usable by a larger group of people. Control of the collection should be well organized. It is not unusual to have the court clerical staff oversee the library in smaller courts. Lighting, temperature, and ventilation shall be adjustable and comfortable for all occupants regardless of time or season. Mechanical equipment used for environmental control shall not disrupt nor distract from the proceedings. General library design criteria can serve as a guide for these rooms.

## **STANDARDS FOR WITNESS WAITING ROOMS:** *witness waiting rooms and their functional criteria*

Appearance in court is seldom convenient for a witness. Such appearances typically involve extended periods of time before being called for testimony. Attorneys need to confer with witnesses privately before they are called to the witness stand and it is inappropriate to do this in public corridors. There are times that a witness needs to be protected from contact with the public or litigants for personal safety and to avoid harassment or inappropriate influence regarding testimony. For many reasons the provision of a witness waiting area near the courtroom is recommended.

Such a waiting room should be provided adjacent to each courtroom. It shall have restricted access for security. Doors shall be lockable and equipped with alarms if possible and where necessary. Witness waiting rooms should be provided with comfortable seating, be under the supervision of the court and connected to a restricted corridor when possible. In addition to witnesses, these rooms may be made available to families waiting to appear in either juvenile or district court. Therefore, the waiting areas should be accessible to both the county/juvenile court and district court.

Witness waiting rooms shall be visually and acoustically isolated and furnished with comfortable seating for up to four people. Lighting, temperature and ventilation shall be adjustable and comfortable for all occupants regardless of time or season. Mechanical equipment used for environmental control shall not disrupt nor distract from the proceedings.

## **STANDARDS FOR PUBLIC WAITING AREAS:** *public waiting areas and their functional criteria*

Court caseloads require a space where the public can wait to transact court business. Waiting in courtrooms should be minimized to the extent that it disrupts proceedings. (Movable) seating should be provided for the public waiting to transact business. The area should have a floor and wall surface easily maintained to accommodate heavy public traffic and of materials to absorb sound. This area should be near restrooms and the food service or vending area. Lighting, temperature and ventilation shall be adjustable and comfortable for all occupants regardless of time or season. Mechanical equipment used for environmental control shall not disrupt nor distract from the proceedings.

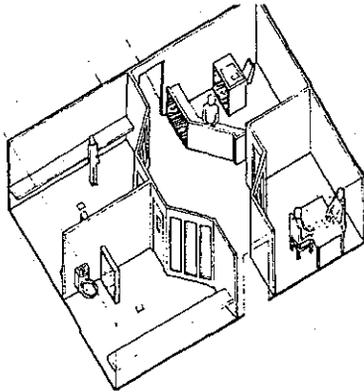
**STANDARDS FOR PROBATION OFFICES:** *probation offices and their functional criteria*

The probation office should be located in the courthouse, if possible. The probation offices should be located near a building entry and should include:

- A. Reception and waiting area;
- B. File space which can be secured;
- C. Acoustically private interview and staff office space; and
- D. Acoustically private conference space for six to eight persons.

Lighting, temperature, and ventilation shall be adjustable and comfortable for all occupants regardless of time or season. Mechanical equipment used for environmental control shall not disrupt nor distract the work being done.

**STANDARDS FOR PRISONER HOLDING FACILITIES:** *holding facilities and their functional criteria*



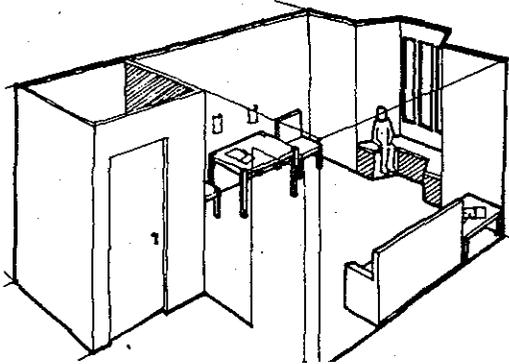
Holding rooms are required for most courts in order to have a place for individuals to wait until they are scheduled to appear in the courtroom proper. A wide variety of persons may need to be accommodated. There may be a mix of men, women, juveniles, mental patients, violent individuals, and dangerous persons. It is therefore necessary to provide holding facilities to accommodate this range of persons.

Holding facilities should be designed to allow for secure holding and supervision of designated people while not violating their rights and dignity. The conditions under which they are held should not adversely affect the outcome of the court proceeding. Holding rooms shall be isolated acoustically from the remainder of the courthouse. No more than one person shall occupy each room. Furnishings shall be suitable for short-term secure holding facilities.

Every aspect of the movement of the restrained person should be strictly controlled. Prisoners must not be moved through public corridors or brought into contact with judges, jurors, attorneys, or witnesses from the time they arrive at the building until they appear in the courtroom. Juveniles must not be brought into contact with adult prisoners or mental patients. Mental patients must be protected from public scrutiny and provided the same safety and privacy as other restrained persons. Private and secure paths from the holding facility to the courtroom must be provided to protect the safety and privacy of both the public and the restrained individual.

Holding facilities must be equipped with secure but private toilet facilities since waiting times may extend over several hours; however, holding facilities must not be considered for housing occupants overnight. Provisions should be made for private conferences between the restrained person and their attorney. This should be easily visually supervised but have complete speech privacy. Good supervision of the facility by a security officer should be provided in all holding facilities in order to provide personal and public safety. Lighting, temperature, and ventilation shall be adjustable and comfortable for all occupants regardless of time or season. The controls should be unavailable to prisoners. A communication system shall be provided between the holding area and the courtroom.

*additional functional criteria for juvenile and mental patient holding facilities*



A private waiting area shall be provided for mental patients and/or juveniles. This area shall be away from the public and shall be capable of being secured for safety reasons. Construction shall be damage resistant. A jail-like appearance should be avoided. Private restroom facilities shall be provided within the secure area. A supervisory station and private interview space shall be provided within the holding area. Furnishings shall be comfortable, durable and designed to minimize their use as weapons. Lighting, temperature, and ventilation shall be adjustable and comfortable for

all occupants regardless of time or season. Mechanical equipment used for environmental controls shall not be available to occupants.

## STANDARDS FOR SECURITY

The Nebraska Supreme Court has established security standards for the courts of the state. To obtain a copy of these standards, write to the Administrative Office of the Courts, P.O. Box 98910, Lincoln, NE 68509.

## SUMMARY

These guidelines have been prepared primarily to assist municipal and county officials as well as court personnel in composing and executing an efficient and rational process with which to analyze and solve court facility problems. While the principal intent was not focused on helping architects plan court facilities, they may find these guidelines valuable in programmatic development.

The included annotated bibliography should provide additional information sources. The judge, county board member, and/or architect who may become involved with the final designing of facilities should now have a clearer understanding of the process and data utilized in defining the problem. This should make the task much more apparent and should help in the development of the most suitable, feasible, and elegant solution. Many times facility problems result from inadequate communications between those who plan them and those who use and administer them. The successful use of these guidelines should result in clarifying and strengthening these communication links.

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Additional information on design criteria concerning compliance with the American with Disabilities Act can be found in PL 101-336 available in print form from the Government Printing Office, Superintendent of Documents, Washington, D.C.

The National Sheriff's Association "Physical Security Checklist" adequately covers matters of exterior, building, and procedural security for courthouses. The National Sheriff's Association may be contacted by post at 1450 Duke Street, Alexandria, Virginia 22314, by fax at (703) 683-6541, or by phone at 800-424-7827.